

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Bijan S. KHIRABADI et al.

Group Art Unit: 1651

Application No.: 10/646,802

Examiner: S. SAUCIER

Filed: August 25, 2003

Docket No.: 102691.02

For: METHOD OF CRYOPRESERVATION OF TISSUES BY VITRIFICATION

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Organ Recovery Systems, Inc., represents that it is the owner of a 100% interest in the above-identified patent application by virtue of an Assignment filed January 19, 2001 and recorded at Reel 011455, Frame 0188. The undersigned also certifies that he is empowered to execute this Terminal Disclaimer on behalf of the assignee.

Your Petitioner hereby disclaims the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration of the full statutory term as presently shortened by any Terminal Disclaimer, of U.S. Patent No. 6,194,137 issued February 27, 2001 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said U.S. Patent shall be the same as the legal title to any patent issuing from the above-identified application, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term as presently shortened by any Terminal Disclaimer of said U.S. Patent in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any Terminal Disclaimer.

The fees associated with this filing under 35 U.S.C. §41(a)(5) are being paid electronically with this filing. The Commissioner is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461.

DATE: 2/14/06

SIGNED:

TYPED NAME:

William P. Berridge

TITLE OR REGISTRATION NO.
OF ATTORNEY OF RECORD:

30,024